

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

MARSH SUPERMARKETS, INC.,)	
)	
Plaintiff/Counterclaim-Defendant,)	
)	
v.)	Cause No. 1:09-CV-0458-SEB-TAB
)	
DON E. MARSH)	
)	
Defendant/Counterclaim-Plaintiff.)	
)	
v.)	
)	
EMPLOYMENT AGREEMENT BY AND)	
BETWEEN DON E. MARSH AND)	
MARSH SUPERMARKETS, INC.)	
DATED AUGUST 3, 1999, AS)	
AMENDED)	
JANUARY 1, 2005 (sic) and)	
DECEMBER 30, 2005 (sic),)	
)	
Third-Party Defendant.)	

ORDER MODIFYING CASE MANAGEMENT PLAN

On December 16, 2009, the parties filed a Status Report Concerning Discovery.

In the status report, the parties explained their need to modify the existing case management deadlines by six months in order to provide adequate time to complete discovery in this case.

The Court and the parties discussed the status report and the proposed modifications to the Case Management Plan at a telephonic status conference on January 5, 2010. The Court hereby orders that the case management deadlines are extended as follows:

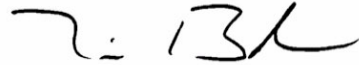
- a. Non-expert witness discovery and discovery relating to liability shall be completed by August 20, 2010;
- b. Marsh Supermarkets shall disclose the name, address, and vita of all expert witnesses, and shall serve the report required by Fed. R. Civ. P. 26(a)(2)(B) on

or before November 22, 2010. However, if Marsh Supermarkets uses expert witness testimony at the summary judgment stage, such disclosures must be made no later than 60 days prior to the summary judgment deadline;

- c. Don Marsh shall disclose the name, address, and vita of all expert witnesses, and shall serve the report required by Fed. R. Civ. P. 26(a)(2)(B) within 60 days after Marsh Supermarkets serves its expert witness disclosure; or if none, Don Marsh shall make his expert disclosure on or before December 22, 2010. However, if Don Marsh uses expert witness testimony at the summary judgment stage, such disclosures must be made no later than 30 days prior to the summary judgment deadline;
- d. Dispositive motions shall be filed by September 20, 2010;
- e. Final witness and exhibit lists shall be filed by December 20, 2010.

The Magistrate Judge recommends the trial date be vacated and reset by separate order.

Dated: 01/22/2010



Tim A. Baker
United States Magistrate Judge
Southern District of Indiana

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